

SEALED

Office of the United States Attorney
District of Nevada
333 Las Vegas Blvd., South, Ste. 5000
Las Vegas, Nevada 89101
(702) 388-6336

1 DANIEL G. BOGDEN
United States Attorney
2 BRIAN PUGH
Assistant United States Attorney
3 333 Las Vegas Blvd. South, Suite 5000
Las Vegas, Nevada 89101
4 (702) 388-6336

200 JAN 20 P 1:53

5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA)

9 Plaintiff,)

10 vs.)

11 BRETT GIBBS,)

12 Defendant.)
13)
14)

Case No.: 2:09-cr-0419-PMP-LRL

**STIPULATION TO CONTINUE
SENTENCING
(First Request)**

15 **IT IS HEREBY STIPULATED AND AGREED**, by and between Daniel G. Bogden,
16 United States Attorney, and Brian Pugh, Assistant United States Attorney, and John Wawerna,
17 counsel for Defendant BRETT GIBBS, that the sentencing date in the above-captioned matter
18 currently scheduled for January 26, 2010 at 10:00 p.m. be vacated and continued 90 days or to a
19 date thereafter which is convenient to the Court.

20 This stipulation is entered into for the following reasons:

- 21 1. On October 29, 2009, defendant plead guilty to a one count information charging him
22 with bank fraud in violation of Title 18, United States Code, Section 1344.
23 2. Defendant has agreed to provide substantial assistance for which defendant hopes the
24 government will move for a downward departure at the time of sentencing.
25 3. Defendant's testimony may be needed in the trials of other individuals.
26

1 4. Denial of this request for continuance would deny the defendant sufficient time and
2 opportunity within which to fully cooperate with the Government, taking into account the exercise
3 of due diligence.

4 5. Defendant is not in custody.

5 6. Defendant has no objection to a continuance of this matter.


6 7. This request for a continuance is made in good faith and is not intended to delay the
7 proceedings in this matter

8 8. There have been no previous requests for continuance of the sentencing date granted
9 herein.


10 Respectfully submitted.

11 DANIEL G. BOGDEN
12 United States Attorney

13
14 1-20-10
15 DATE

16
17 
18 BRIAN PUGH
19 Assistant United States Attorney

20
21 1-20-10
22 DATE

23
24 
25 JOHN WAWERNA
26 Counsel for Defendant
Brett Gibbs

1 4. Denial of this request for continuance would deny the defendant sufficient time and
2 opportunity within which to fully cooperate with the Government, taking into account the exercise
3 of due diligence.

4 5. Defendant is not in custody.

5 6. Defendant has no objection to a continuance of this matter.

6 7. This request for a continuance is made in good faith and is not intended to delay the
7 proceedings in this matter

8 8. There have been no previous requests for continuance of the sentencing date granted
9 herein.

10 Respectfully submitted.

11 DANIEL G. BOGDEN
12 United States Attorney

13 1/20/10

/s/ Brian Pugh

14 DATE

15 BRIAN PUGH
16 Assistant United States Attorney

17 1/20/10

/s/ John Wawerna

18 DATE

19 JOHN WAWERNA
20 Counsel for Defendant
21 Brett Gibbs
22
23
24
25
26

200 JAN 20 P 1:53

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

BRETT GIBBS,

Defendant.

Case No.: 2:09-cr-0419-PMP-LRL

ORDER CONTINUING SENTENCING

Based on the pending stipulation of counsel, and good cause appearing therefore, the court hereby finds that:

IT IS HEREBY ORDERED that the sentencing hearing in the above-captioned matter currently scheduled for January 26, 2010, at the hour of 10:00 p.m., be vacated and continued until

_____, 2010, at the hour of _____.m.

DATED this _____ day of January 2010.

UNITED STATES DISTRICT COURT JUDGE